

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BRIGHT RESPONSE LLC

VS.

GOOGLE, INC., ET AL.

§  
§  
§  
§  
§

CASE NO. 2:07-CV-371(CE)

---

**Jury Trial Day Two Minutes  
August 3, 2010**

**OPEN: 8:30 a.m.**

**ADJOURN: 5:22 p.m.**

ATTORNEYS FOR PLAINTIFF:

Andrew Spangler  
Marc Fenster  
David Pridham  
Alex Giza  
John Hueston

ATTORNEYS FOR DEFENDANTS:

Charles Verhoeven  
Amy Candido  
David Perlson  
William Rooklidge  
Jason White

LAW CLERK:

Jim Warriner  
Eric Hansen

COURT REPORTER:

Judy Werlinger, CSR

COURTROOM DEPUTY:

Jan Lockhart

8:30 a.m. Court opened. The parties announced ready for hearing.

Mr. Verhoeven continued cross examination of Ms. Rice.

Court recess from 10:05 a.m. to 10:30 a.m.

10:30 a.m. Mr. Verhoeven continued cross examination of Ms. Rice.

11:07 a.m. Mr. Fenster conducted re-direct examination of Ms. Rice.

11:27 a.m. Mr. Verhoeven requested a moment to visit with co-counsel. The parties passed the witness.

Page Two  
Minutes  
August 3, 2010

11:29 a.m. Mr. Fenster called Dr. Rhyne to testify. Dr. Rhyne was previously sworn.

11:49 a.m. Jury excused.

Hearing outside the presence of the jury.

Mr. Fenster indicated that there were remaining issues with respect to demonstratives with Mr. Verhoeven indicated that he had some objections.

The Court will hear the objections at 1:00 p.m.

11:54 a.m. Court adjourned.

1:00 p.m. Court hearing outside the presence of the jury.

1:09 p.m. Court adjourned.

1:20 p.m. Jury returned to courtroom. Court reconvened. Mr. Fenster continued his direct examination of Dr. Rhyne.

1:26 p.m. Bench conference

1:27 p.m. Mr. Fenster continued his examination of Dr. Rhyne.

1:42 p.m. Bench conference.

1:44 p.m. Court gave instruction to jury regarding electronic message. Mr. Fenster continued his examination of Dr. Rhyne.

3:01 p.m. Jury excused for afternoon recess.

3:02 p.m. Hearing outside the presence of the jury.

3:04 p.m. Court break.

3:25 p.m. Court reconvened. Jury returned to courtroom.

3:26 p.m. Mr. Fenster continued his examination of Dr. Rhyne.

4:27 p.m. Bench conference. Mr. Fenster continued his examination of Dr. Rhyne.

4:55 p.m. Bench conference.

Page Three  
Minutes  
August 3, 2010

4:57 p.m. Mr. Fenster continued his examination of Dr. Rhyne.

5:16 p.m. Jury excused.

5:18 p.m. Hearing outside the presence of the jury.

5:25 p.m. Court adjourned.